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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,911	10/26/2001	Ray Berg	10251-052	8908
21890 7	590 07/10/2006		EXAMINER	
PROSKAUER ROSE LLP			PORTER, RACHEL L	
PATENT DEP 1585 BROAD			ART UNIT	PAPER NUMBER
NEW YORK, NY 10036-8299			3626	<u> </u>
			DATE MAILED: 07/10/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.			Application No.	Applicant(s)					
## Rachel L Porter ## Sa26 ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address **Period for Reply** A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. **Bedreitions of term rays be waited under the provisions of 37 CFR 1.15(a). In a ovent, however, may a reply be sinsely filed after \$X, (6) MONTHS from the mailing date of the communication. **Failute for reply which the est or extended period for rejival they stated will apply and will expire \$X, (6) MONTHS from the mailing date of this communication. **Failute for rejival which the est centeded period for rejival they stated, such that paging and the scene paging date of this communication. **Failute for rejival which the set or extended period for rejival will be yearded. **Pailute for rejival which the est or extended period for rejival will be yearded. **Failute for rejival which the set or extended period for rejival will be yearded. **Failute for rejival which the set or extended period for rejival will be yearded. **Pailute for rejival the set of the communication of the communication. **Failute for rejival which the set or extended period for rejival they are set of the communication. **Failute for rejival the set of the communication of the communication. **Pailute for set of the set of the communication of the set of the set of the set of the communication. **Pailute for set of the set o	. Office Action Summary		10/040,911	BERG ET AL.					
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of tem may be available under the provisions of 37 CFR 1.786, in no event, however, may a reply be timely fited after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the machine actions, provided will apply and will expire SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the machine actions provided will apply and will expire SIX (6) MONTHS from the mailing date of this communication, and the provided will apply and will expire SIX (6) MONTHS from the machine date of this communication, according to the Ordinary reduce any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patient term adjustment. See 37 CFR 1.704(b). Status 1) □ Responsive to communication(s) filed on 10/26/01. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-40 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) 1-40 is/are rejected. 7) □ Claim(s) 1-40 is/are rejected. 7) □ Claim(s) 1-40 are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 1-16/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Prio			pears on the cover sheet with	the correspondence a	ddress				
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:	1)	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/N 5) Notice of Info	Mail Date rmal Patent Application (PT	「O-152)				

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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claim 1-12, drawn to insurance claims processing, classified in class 705, subclass 4
 - II. Claims 13-28 and 35-40, drawn to financial/credit risk assessment, classified in class 705, subclass 38.
 - III. Claim 29-34, drawn to secure business transactions requiring authentication, classified in class 705, subclass 67.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I, II, and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination I has separate utility such determining whether the insured party is entitled to a claim benefits. Subcombination II has a separate utility such as determining whether a trade partner is creditworthy. Subcombination III has a separate utility such as verifying/authenticating the identity of parties in an online transaction. See MPEP § 806.05(d).
- 3. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different

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classification, and their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel L. Porter whose telephone number is (571) 272-6775. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP

C. LUKE GILLIGAN PATENT EXAMINER